

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Philip G. Reinhard	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	02 C 50143	DATE	11/20/2003
CASE TITLE	Glover vs. Board of Education of the Rockford Public School, Dist. 205		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] For the reasons stated on the reverse Memorandum Opinion and Order, Count VI is stricken, the Title VII claims set out against the individual defendants (Brown, Simmons, Kinsley, Mowen, Williams, Bliss, Nellis, Kalchbrenner, Caltagerone, Strommer, and Evans) in Count I are dismissed, and the motion to dismiss Count II is withdrawn.

Philip G. Reinhard

- (11) ☒ [For further detail see order on the reverse side of the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input checked="" type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	/SEC courtroom deputy's initials	U.S. DISTRICT COURT NOV 20 2003 PM 3:37	number of notices	Document Number 57
			NOV 20 2003 date docketed	
			docketing deputy initials	
			11-20-03 date mailed notice	
			DW mailing deputy initials	
		Date/time received in central Clerk's Office		

MEMORANDUM OPINION AND ORDER

Plaintiff, Melvin L. Glover, pro se, filed a six-count complaint against defendants, Board of Education of the Rockford Public Schools, District 205 ("RPSD") and the Rockford Education Association ("REA"). Additionally named as defendants, individually and in their official capacities, are the following: Alan S. Brown, Yolanda Simmons, Gerald Kinsley, and Marcus Mowen of RSPD; Robert Corder, Thomas Morgan, Molly Phelan, Michael Williams, and Michael Bliss, of REA; and Jay Nellis, Nancy Kalchbrenner, Stephanie Caltagerone, David Strommer, and Robert Evans of the Rockford Board of Education.

In his complaint, plaintiff alleges violations of Title VII, 42 U.S.C. § 2000(e) et. seq.; 42 U.S.C. § 1983; 42 U.S.C. § 1981; the 14th Amendment, and a breach of contract claim. Before the court are defendants' motions to dismiss Count I as against all individual defendants for liability for discrimination or harassment under Title VII and to dismiss Count VI.

Count VI does not attempt to state a claim but merely states that plaintiff has restated matters from previous complaints in the current complaint. Accordingly, Count VI is stricken.

Remaining are defendants' motions to dismiss the individual defendants from Count I. Plaintiff acknowledges in his response to the motion that he is not seeking to hold the individuals liable under Title VII. Title VII does not impose liability on individual employees. Gastineau v. Fleet Mortgage Corp., 137 F.3d 490, 493-94 (7th Cir. 1998). Accordingly, the claims against defendants Brown, Simmons, Kinsley, Mowen, Williams, Bliss, Nellis, Kalchbrenner, Caltagerone, Strommer, and Evans under Title VII are dismissed.

Defendants also originally moved to dismiss Count II but have asked leave to withdraw that motion. The motion to withdraw is granted.

For the foregoing reasons, Count VI is stricken, the Title VII claims set out against the individual defendants (Brown, Simmons, Kinsley, Mowen, Williams, Bliss, Nellis, Kalchbrenner, Caltagerone, Strommer, and Evans) in Count I are dismissed, and the motion to dismiss Count II is withdrawn.